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THE NEW REPUBLIC
11 June 1977

White House Watch Carter and Spyland

The President is slowly getting his intelligence ducks in a row. Here is a summary of the things he's done and the ways in which he is trying to establish a degree of presidential mastery over spyland.

It will never again be the degree of mastery, almost total, that Presidents since Harry Truman's day have had the authority but not always the wit or will to exercise. The CIA is the only foreign intelligence agency authorized by law. Its big companions in the intelligence community, the National Security Agency and the Defense Intelligence Agency, and the many Army, Navy and Air Force intelligence services function under executive orders or in some instances with no written and publicly recorded authority. The only restriction laid upon the CIA by the National Security Act of 1947 and later amendments is the stipulation that it is an arm of the President's National Security Council and subject as such to his control and direction. In the aftermath of Watergate and the disclosures of intelligence abuses ranging from excessive intervention in other countries' business to murder plots, Congress and its committees have moved and are still moving into not only investigation and monitoring of intelligence operations but into what amounts—though most congressmen concerned would deny it—to direction and management of those operations.

The first report of the Senate's Select Committee on Intelligence, the oversight committee set up on May 19, 1976 as a result of the Church committee's investigation of intelligence abuses, is a staggering testament to the extent of authority to supervise and restrict foreign intelligence operations that Congress asserts. The report and accompanying supplements brag of the "hundreds of hours" that the committee's chairman, Daniel K. Inouye of Hawaii, and its 16 other members have spent on the committee as a whole and on six subcommittees assigned to "the rights of Americans," "budget authorization," the "collection, production and quality" of foreign intelligence, "special investigations," "charters and guidelines" for intelligence agencies, and "secrecy and disclosure." A staff of 23 professionals and 22 "support" persons including the minority staff director, Earl D. Eisenhower, a nephew of the late President and a protégé of Senator Barry Goldwater, works for the committee and its subcommittees. The purpose here is not to derogate the committee; considering the mass of classified information it has collected and keeps in its records and in the heads of its

staff and members, it has been tarred by amazing the Inouye committee House committees thereby. A House equivalent about to be established shudders among those with information, Congress investigating committee foreign intelligence or in principle. But there President Carter has

known there can be too much of it. In one of the positions to be noted here, he has taken a firm stand against undue congressional intrusion. But the available accounts of a meeting that he had on May 13 with the Inouye committee at the White House make one wonder whether he was adequately aware of what he was up against then and is likely to be up against in the near future.

The announced purposes of the meeting were to assure the committee that Carter agrees with it that the chief foreign intelligence agencies—CIA, NSA and DIA—should operate under statutory rather than executive charters and, in the words of press secretary Jody Powell, "to work out with the Congress a way in which we could work with them in the development of comprehensive legislation in this field." The committee's and Carter's aim, Powell said, was "clear legislation applicable to all the intelligence agencies which states what they may and may not do" and provides "a focused and controlled and lawful intelligence operation." According to an official at the meeting, Carter observed rather mildly that he hoped the legislation wouldn't get into excessive operational detail. Powell stretched this and the absence of objection to it into a statement that "the participants agreed...that the organizational and administrative matters should not be controlled in such detail that the effectiveness of the agencies in performing lawful duties is impaired." Carter told the committeemen that the administration's review of foreign intelligence organization and practices should be completed in June and all hands agreed that the committee and the administration will compare notes and cooperate in drafting "sound and effective legislation and...executive branch statements of policy."

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